

(MR. SPEAKER.)

142. Sri B. M. Seenappa (Cubbonpet).
143. Sri Shafuiddin (Bidar).
144. Sri H. B. Shaw (Mudhol).
145. Sri S. Shankrappa (Chicholi).
146. Sri Shankardeo (Humnabad—Scheduled Castes).
147. Sri T. C. Shantappa (Tarikere).
148. Sri K. A. Sheik (Konnur).
149. Sri Sivananje Gowda (Mysore Taluk).
150. Sri H. K. Sivarudrappa (Gundlupet—Heggadadevanakote).
151. Sri Shivabasangowd (Sindhnoor).
152. Srimathi R. M. Shreyakar (Chikkodi).
153. Sri L. K. Shroff (Raichur).
154. Sri T. Siddalingaiya (Dodda-ballapur).
155. Sri L. Siddappa (Chennagiri).
156. Sri S. Siddappa (Magadi).
157. Sri H. Siddaveerappa (Harihar).
158. Sri Siddaiya alias Kunniiah (Gundlupet—Heggadadevanakote Scheduled Castes).
159. Sri P. G. Sidhanthi (Muddebihal).
160. Sri S. C. Sindhoor (Hangal).
161. Sri K. Singari Gowda (Nagamangala).
162. Sri Sirasappa Ijari (Harpanahalli).
163. Sri G. Sivappa (Holalkere).
164. Sri Srinivasa Rao Ekhelkar (Humnabad).
165. Srimathi B. L. Subbamma (Chikmagalur—Mudigere).
166. Sri G. Subbaiya (Srimangala Nad—Reserved).
167. Sri P. D. Subbaiya (Mercara Nad).
168. Sri M. K. Surpur (Indi—Sindgi).
169. Sri N. N. Suvarna (Mulky).
170. Sri Tambaka (Dharwar—Kalgatgi).
171. Sri S. H. Thammiah (Krishnarajanagar).
172. Sri G. A. Thimmappa Gowda (Arkalgud).
173. Sri A. C. Thimmaiya (Napoklu).
174. Sri K. G. Thimme Gowda (Kanakapura).

175. Sri T. G. Thimme Gowda (Tiptur).
176. Sri P. C. Utayya (Virajpet Nad).
177. Sri B. Vaikunta Baliga (Panemangalore).
178. Sri K. S. Vasan (Kolar Gold Fields).
179. Sri V. Venkatappa (Channapatna).
180. Sri K. Venkataramanagowda (Puttur—General).
181. Sri D. Venkatesh (Gandhinagar).
182. Sri Virendra Patil (Aland).
183. Sri S. C. Virupakshiya (Kollegal).
184. Sri Virupakshappa (Shahpur).

MR. SPEAKER.—Hon'ble Members who came late and who have not taken the oath will kindly take it now.

Sriyuths—

185. M. Palaniyappan (Ulsoor).
186. H. M. Channabasappa (Periyapatna).
187. S. Kariappa (Virupakshipura).
188. G. Basappa (Hosadurga).
189. D. Devaraj Urs (Hunsur).
190. B. A. Desai (Dharwar).

ELECTION OF SPEAKER

MR. SPEAKER.—The House will now elect the Speaker, Sri R. Anantaraman will move the motion.

11-30 A.M.

SRI J. MOHAMED IMAM (Jagalur).—Mr. Speaker, I am raising a point of order and I think it has to be settled before the election of the Speaker is taken up. I am placing this point of order in the beginning of the Session not with a view to cause embarrassment either to the ex-Speaker or to the coming Speaker but to see that certain doubts are cleared and that the election is held valid.

Sir, it is assumed that both Sri Rudrappa, the former Speaker, and Sri Chennigaramaiah have resigned and on the assumption that a vacancy has been caused a new Speaker is going to be elected very soon. You may be

aware that, under the States Reorganisation Act, it is provided that the Speaker and the Deputy Speaker who held offices prior to 1st November shall be deemed to continue as Speaker and Deputy Speaker till a new Speaker is elected. I do not exactly know the position of these two gentlemen because under the States Reorganisation Act, they continue to be Speaker and Deputy Speaker till new Speaker and the Deputy Speaker are elected. Without meaning any disrespect to you and with due deference to you I may submit that the Governor during this interim period has no power to appoint a Speaker and so it has to be settled whether your appointment as the interim Speaker is in order, because under the States Reorganisation Act Sri Rudrappa ought to have continued as the Speaker. It may be argued that both these gentlemen, Sri Rudrappa and Sri Chennigaramiah, have resigned and became Ministers on the 1st of November and that the notification about their resignations was received by the members on 5th of November. I do not know what their position was during this period. Anyhow, a procedure has been prescribed under the Constitution as to the mode of resignation. Under the Constitution it is provided that the Speaker or the Deputy Speaker shall resign his office by giving the resignation to the Deputy Speaker if it is a Speaker and to the Speaker if it is a Deputy Speaker. It so happens that both of them have resigned and I would like to know who gave the resignation and to whom. If Sri Rudrappa wanted to resign, then he must hand over his resignation to the Deputy Speaker, Sri Chennigaramiah who has also resigned and if Sri Chennigaramiah wanted to resign, he must hand over his resignation to the Speaker, Sri Rudrappa who has also resigned. Unless there is a receiving authority to receive the resignation, the resignation cannot become valid. (Holding two books in each hand) Supposing this book represents the Speaker and that book, the Deputy Speaker and supposing the Deputy Speaker hands over the

resignation to the Speaker, the Deputy Speaker automatically ceases to be the Deputy Speaker. The Deputy Speaker stands by himself and he is not a person to whom the Chair can give the resignation. So, even though they have given their resignations, there is no person to accept them and since it is not certain as to who received the resignation first and who received it later, it must be deemed that both of them continue to be Speaker and Deputy Speaker today.

AN HON'BLE MEMBER.—No.

SRI J. MOHAMED IMAM.—I am pointing out a constitutional lacuna. This is the first time that such a thing has happened. In the history of Constitution or in the history of democracy of any country I do not think that the Speaker and the Deputy Speaker have resigned *ek dum*. I am anxious that a ruling should be given, first whether the resignation is valid since both of them have resigned at the same time, because under the Constitution it is prescribed that the resignation must be handed over only to the Speaker or to the Deputy Speaker. Secondly, if only one of them, for instance, the Speaker, resigns, the Deputy Speaker continues to occupy his position till the election of the new Speaker. During this period, I would like to know—of course I am raising a technical point—whether your being appointed as Speaker is valid.

Another point I want to submit is this. It is said that the notification announcing the election of the Speaker was received by the members on the 17th and members living far off from the Capital like Bidar and Gulbarga had no time to send their nomination papers in time. This is a technical objection, but my main objection is regarding the first point. This is the first time that such a thing has happened. So, I would like to have a ruling from you to which I will submit.

MR. SPEAKER.—The Hon'ble Member has raised a point which, I think, was discussed in the Speakers' Conference some time back. It is quite evident that the Constitution has not

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provided any rule as to whom the resignation should be submitted in the absence of the Speaker or the Deputy Speaker. The convention that we established there was that, in the absence of the Speaker as well as the Deputy Speaker, the resignation should be handed over to the Secretary of the Assembly.

Sri J. MOHAMED IMAM.—Does the decision arrived at at the conference of the Speakers override the Constitution?

MR. SPEAKER.—There is a lacuna in the Constitution and therefore we have made a provision to that effect.

Sri R. ANANTARAMAN (Chamarajapet).—Mr. Speaker, I beg to move:

“That Sri S. R. Kanthi be elected as Speaker of the Legislative Assembly.”

MR. SPEAKER.—Sri Chandrasekhar Patel will second the motion.

Sri CHANDRASEKHAR PATEL (Kamalapur).—I second the motion moved by Sri Anantaraman.

MR. SPEAKER.—There are two other members who want to move and second the same motion. I do not think they should do it. Since there is no other motion before us, I declare Sri S. R. Kanthi duly and unanimously elected as the Speaker of the Legislative Assembly.

[*Sri S. R. Kanthi was conducted to the Chair and he took the Chair.*]

FELICITATIONS TO SPEAKER.

ಶ್ರೀ ಎಸ್. ನಿಜಲಿಂಗಪ್ಪ (ಮುಖ್ಯ ಮಂತ್ರಿಯವರು).—
ಸ್ವಾಮಿ, ನಾನು ಈ ಸಭೆಯ ನಾಯಕನಾಗಿ ಈ ಸಭೆಯ ಪರಿವಾಗಿ ತಮ್ಮನ್ನು ಆತ್ಮಾದರದಿಂದ ಸ್ವಾಗತಿಸುತ್ತೇನೆ. ತಮ್ಮ ಪರಿಚಯ ಇಲ್ಲಿ ಅನೇಕರಿಗೆ ಇಲ್ಲದೆ ಹೋದರೂ ಬಹಳ ಜನರಿಗೆ ತಾವು ಪರಿಚಿತರಾಗಿದ್ದೀರಿ. ನಾನು ತಮ್ಮನ್ನು ಈಗ ನುಮಾರು ಹನ್ನೊಂದು ವರ್ಷಗಳಿಂದ ಬಲ್ಲೆ. ಮತ್ತು ಅನೇಕ ಸಂದರ್ಭಗಳಲ್ಲಿ ತಮ್ಮ ಸಹವಾಸದ ಫಲ ನನಗೆ ದೊರೆಯಿತು. ತಾವು ಈ ಜೀವನಕ್ಕೆ ಹೊಸಬರಲ್ಲ. 1946ನೇ ಇಸವಿಯಿಂದ ಬೊಂಬಾಯಿನ ವಿಧಾನ ಸಭೆಯ ಸದಸ್ಯರಾಗಿ ಅತ್ಯಂತ ದಕ್ಷತೆಯಿಂದ ಕೆಲಸ ಮಾಡಿದ್ದೀರಿ. ತಮ್ಮ ದಕ್ಷತೆ ಮತ್ತು ಹಿಂದೆ ದೇಶಕ್ಕೆ ತಾವು ಸಲ್ಲಿಸಿರತಕ್ಕ ಸೇವೆಯನ್ನು ಮನಗಂಡು ಬೊಂಬಾಯಿ ಸರ್ಕಾರದಲ್ಲಿ ತಾವು ಪಾರ್ಲಿಮೆಂಟರಿ

ಕಾರ್ಯದರ್ಶಿಯಾಗಿ ನೇಮಿತರಾಗಿ ಆಗ್ಗೆ ಪರಿಣಾಮ ಕಾರಿಯಾದ ಕೆಲಸಗಳನ್ನು ನಡೆಸಿಕೊಂಡು ಬಂದಿರಿ. ಹೋದ ಜನಾಪಣಿಗಳಲ್ಲಿ ತಾವು ಅದೇ ಬೊಂಬಾಯಿನ ವಿಧಾನ ಸಭೆಯ ಸದಸ್ಯರಾಗಿ ಜನಾ ಯಸಲಟ್ಟು ಆ ಸಭೆಯು ತಮ್ಮನ್ನು ಒಮ್ಮತದಿಂದ ಆ ಸಭೆಯ ಉಪನಿರ್ದೇಶಕಿಯನ್ನಾಗಿ ಜನಾಯಿಸಿ ಕೊಂಡಿತು. ಅಂದಿನಿಂದ ಇಲ್ಲಿಯವರೆಗೂ ತಾವು ಎಲ್ಲರ ಮೆಚ್ಚಿಗೆಗೂ ಪಾತ್ರರಾಗಿ ಕೆಲಸ ನಿರ್ವಹಿಸಿಕೊಂಡು ಬಂದಿರಿ. ತಮ್ಮ ಸಹನೆ, ದಕ್ಷತೆ, ಅನುಭವ, ತಾರತಮ್ಯ ಭಾವನೆ ಮತ್ತು ನಿಷ್ಪಕ್ಷಪಾತ ದೃಷ್ಟಿ ಅಲ್ಲಿ ಸ್ಪಷ್ಟಪಟ್ಟಿತು. ಅದರ ಕಾರಣವಾಗಿ ಇಲ್ಲಿ ತಮ್ಮನ್ನು ನಾವು ಒಮ್ಮತದಿಂದ ಜನಾಯಿಸಿದ್ದೇವೆ. ಇದು ಹೆಮ್ಮೆಯ ಮಾತು. ಈ ಗುಣಗಳುಳ್ಳ ತಮ್ಮಂತಹ ಮುಖಂಡರನ್ನು ಈ ಸಭೆಯ ಅಧಿಪತಿಗಳನ್ನಾಗಿ ಮಾಡಿಕೊಂಡಿರತಕ್ಕದ್ದು ನಮಗೆ ಒಂದು ಹೆಮ್ಮೆ; ಒಂದು ತೃಪ್ತಿ, ಮತ್ತು ಒಂದು ಸಂತೋಷ. ತಮ್ಮ ಕಾಲದಲ್ಲಿ ಈ ಸಭೆಯ ಕಾರ್ಯಕರಾಪಗಳು ಯಶಸ್ವಿಯಾಗಿ ನಡೆಯುವವೆಂದು ನಮ್ಮ ನಂಬಿಕೆಯಿದೆ. ಮತ್ತೊಮ್ಮೆ ತಮ್ಮನ್ನು ಅತ್ಯಂತ ಅದರದಿಂದ ಮತ್ತು ಗೌರವದಿಂದ, ಸಭಾಪತಿಗಳಾಗಿ ಸ್ವಾಗತಿಸುತ್ತೇನೆ.

Sri J. MOHAMED IMAM (Jagalur).—Mr. Speaker, I associate myself with the Leader of the House in the gratification which he has expressed on your being elected to this high office. Sir, it is also my privilege to know you and also to be your friend for the last four or five years. I know you took a leading part in shaping the destiny of the present State of Mysore and you played an important part. Your experience as the Deputy Speaker of the Assembly of a premier State will stand in good stead and I am confident that you will acquit yourself to the satisfaction of all the members of this House, including the members from the Opposition.

Sir, the Opposition members always look to you for safeguarding their rights. It is an accepted principle in other countries that the Speaker is always a non-party man so that he may enjoy the confidence of all the members of the House, but here, it so happens, whether rightly or wrongly, that the Speaker comes from the majority party. When the first Speaker of this House was elected we had our own misgivings. When Sri H. S. Rudrapa was elected as Speaker, then also we expressed similar apprehensions; but I must say, Sir, that the previous Speakers have behaved fairly and squarely towards the Opposition; They have given us latitude and also safeguarded our rights. During the first